

REMARKS

Reconsideration of the application is requested.

Claims 9 and 11-19 remain in the application. Claims 9 and 11-19 are subject to examination. Claims 9, 11, 15 and 19 have been amended. Claim 10 has been canceled.

In item 2 on page 2 of the above-identified Office Action, claim 15 has been rejected as being indefinite under 35 U.S.C. § 112, second paragraph.

More specifically, the Examiner states that it is not clear if the message packets and the data packets are the same or different. In addition, the Examiner asks for further definition of the term "together". Claim 15 has been amended to clear up the confusion. The message packets and the data packets are different packets and they (i.e. the message packets and the data packets) are transmitted together.

It is accordingly believed that the claims meet the requirements of 35 U.S.C. § 112, second paragraph. The above-noted changes to the claims are provided solely for clarification or cosmetic reasons. The changes are neither provided for overcoming the prior art nor do they narrow the

scope of the claim for any reason related to the statutory requirements for a patent.

In items 3-17 on pages 2-5 of the above-identified Office Action, claims 9, 11, 12 and 16-19 have been rejected as being fully anticipated by U.S. Patent No. 5,898,687 to Harriman et al. (hereinafter Harriman) under 35 U.S.C. § 102.

The rejection has been noted and claims 9 and 19 have been amended in an effort to even more clearly define the invention of the instant application. More specifically claims 9 and 19 have incorporated the features of claim 10 and additional matter. Support for the changes can be found in original claim 10 and from page 12, line 25 to page 13, line 26 of the specification of the instant application.

In items 18-26 on pages 5-7 of the above-identified Office Action, claims 10 and 13-14 have been rejected as being obvious over Harriman in view of U.S. Patent No. 4,135,156 to Sanders Jr., et al (hereinafter Sanders) under 35 U.S.C. § 103.

As noted by the Examiner, Harriman does not disclose a switching system for data packets with variable lengths (as recited in claim 1 of the instant application). Furthermore,

Harriman does not teach sending a message from the input of the switching system to the output of the switching system where the message has a reference, information about a priority for correct marshalling of the data packet and information about the length of the data packet (as recited in claim 1 of the instant application). The Examiner relies on Sanders to teach the transmission of the reference, priority information, and length information.

However, Sanders or Harriman are not believe to teach the step of "queuing a message packet containing at least one message in a waiting queue at the output of the switching system" and that the packets may have variable lengths as recited in claim 1 of the instant application.

According to the invention, when each data packet arrives, a message is merely sent to the output and is placed into the queue there. In this way, the transmission of data and the transmission of the information for defining the sequence for transmission of the data are independent of one another. The necessary bandwidth for the internal connections in the switching system is now determined exclusively by the bandwidth of the local physical inputs, with a small addition for the logical channel for the messages.

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It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 9 and 19. Claims 9 and 19 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 9.

In view of the foregoing, reconsideration and allowance of claims 9 and 11-19 are solicited.

Please charge any other fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,



For Applicants

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